United States Environmental Protection Agency
Region 10
1200 Sixth Avenue Suite 155
Seattle, Washington 98101-3188

Authorization to Discharge under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 *et seq*., as amended by the Water Quality Act of 1987, P.L. 100-4, the "Act",

PotlatchDeltic Land and Lumber, LLC
2200 Railroad Avenue
St. Maries, ID 83861

is authorized to discharge from the St. Maries Plywood and Lumber facility located in St. Maries, Idaho, at the following location(s):

Outfall	Receiving Water	Latitude	Longitude
001	St. Joe River	47.329722	-116.590278
002	Unnamed ditch	47.3205	-116.5822
003	Unnamed ditch	47.3207	-116.5851
004	Unnamed ditch	47.3208	-116.5865

in accordance with discharge point(s), effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective insert date

This permit and the authorization to discharge shall expire at midnight, insert date

The permittee shall reapply for a permit reissuance on or before insert date, 180 days before the expiration of this permit if the permittee intends to continue operations and discharges at the facility beyond the term of this permit.

Signed this day of

Preliminary Draft
Daniel D. Opalski, Director
Water Division

Schedule of Submissions

The following is a summary of some of the items the permittee must complete and/or submit to EPA during the term of this permit:

Item	Due Date
1. Discharge Monitoring Reports (DMR)	DMRs are due monthly and must be submitted on or before the 20th day of the month following the monitoring month.
2. Quality Assurance Plan (QAP)	The permittee must provide EPA and the Coeur d'Alene Tribe with written notification that the Plan has been developed and implemented within 180 days after the effective date of the final permit (see II.A.). The Plan must be kept on site and made available to EPA and the Coeur d'Alene Tribe upon request.
3. Stormwater Pollution Prevention Plan (SWPPP)	The permittee must provide EPA and the Coeur d'Alene Tribe with written notification that the Plan has been developed and implemented within 180 days after the effective date of the final permit (see II.C.). The Plan must be kept on site and made available to EPA and the Coeur d'Alene Tribe upon request.
4. NPDES Application Renewal	The application must be submitted at least 180 days before the expiration date of the permit (see V.B.).
5. Surface Water Monitoring Report	The permittee must submit all surface water monitoring results for the previous calendar year for all parameters in an annual report to EPA and the Coeur d'Alene Tribe by January 31st of the following year.
6. Compliance Schedule	Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date (see III.J.)
7. Twenty-Four Hour Notice of Noncompliance Reporting	The permittee must report certain occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances. (See III.G. and Part I.B.2.)

Table of Contents

I. Limitations and Monitoring Requirements

A. Discharge Authorization

During the effective period of this permit, the permittee is authorized to discharge pollutants from the outfalls specified herein to the St. Joe River and an unnamed ditch within the limits and subject to the conditions set forth herein. This permit authorizes the discharge of only those pollutants resulting from facility processes, waste streams, and operations that have been clearly identified in the permit application process.

B. Effluent Limitations and Monitoring

1. The permittee must limit and monitor discharges as specified in Table 1 and Table 2, below. All figures represent maximum effluent limits unless otherwise indicated. The permittee must comply with the effluent limits in the tables at all times unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this permit.

Table 1: Effluent Limits and Monitoring Requirements for Outfall 001

Effluent Parameters	Units	Effluent Limitations		Monitoring Requirements	
		Monthly Average	Daily Maximum	Frequency	Sample Type
Flow	MGD	Report	Report	Weekly	Recording
Iron, total recoverable	mg/L	7.02	14.1	Monthly	Grab
	lb/day	64.4	129		Calculation[1]
pH	s.u.	6.5 to 8.5		Weekly	Grab
TSS[4]	mg/L	75	177	Weekly	Grab
	lb/day	688	1,624		Calculation[1]
Zinc, total recoverable (June - Sep.)[4]	µg/L	22.0	31.6	Monthly	Grab
	lb/day	0.20	0.29		Calculation[1]
Zinc, total recoverable (Oct. - May)[4]	µg/L	51.1	73.7	Monthly	Grab
	lb/day	0.47	0.68		Calculation[1]
2,4,5-Trichlorophenol	µg/L	—	Report	1/year	Grab
2,4,6-Trichlorophenol	µg/L	—	Report	1/year	Grab
2,4-Dichlorophenol	µg/L	—	Report	1/year	Grab
2,4-Dimethylphenol	µg/L	—	Report	1/year	Grab
2,4-Dinitrophenol	µg/L	—	Report	1/year	Grab
2-Chlorophenol	µg/L	—	Report	1/year	Grab
2-Methyl-4,6-Dinitrophenol	µg/L	—	Report	1/year	Grab
3-Methyl-4-Chlorophenol	µg/L	—	Report	1/year	Grab
Aluminum, total recoverable	µg/L	—	Report	2/year[2]	Grab
Ammonia, total as N	mg/L	—	Report	2/year[2]	Grab
COD	mg/L	—	Report	Quarterly[3]	Grab
Dinitrophenols	µg/L	—	Report	1/year	Grab
Hardness	mg/L as CaCO3	—	Report	2/year[2]	Grab
Manganese, total recoverable	µg/L	—	Report	2/year[2]	Grab
Nitrate-Nitrite as N	mg/L	—	Report	2/year[2]	Grab

Effluent Parameters	Units	Effluent Limitations		Monitoring Requirements	
		Monthly Average	Daily Maximum	Frequency	Sample Type
Nonylphenol	µg/L	—	Report	1/year	Grab
Orthophosphate as P	mg/L	—	Report	2/year[2]	Grab
Pentachlorophenol	µg/L	—	Report	1/year	Grab
Phenol	µg/L	—	Report	1/year	Grab
Phosphorus, total as P	mg/L	—	Report	2/year[2]	Grab
Temperature	°C	See Part I.B.6.		Continuous	Recording
Total Kjeldahl nitrogen	mg/L	—	Report	2/year[2]	Grab
Whole effluent toxicity, chronic	TUc	See Part I.D.		2/year[2]	Grab

Notes:

1. Loading (in lbs/day) is calculated by multiplying the concentration (in mg/L) by the corresponding flow (in mgd) for the day of sampling and a conversion factor of 8.34. For more information on calculating, averaging, and reporting loads and concentrations see the NPDES Self-Monitoring System User Guide (EPA 833-B-85-100, March 1985).

2. One sample must be taken between January 1st and June 30th and a second sample must be taken between July 1st and December 31st. Results must be reported on the June and December DMRs.

3. Quarters are defined as January 1st – March 31st, April 1st – June 30th, July 1st – September 30th, and October 1st – December 31st. Results must be reported on the March, June, September, and December DMRs.

4. These effluent limits are subject to a compliance schedule. See II.B.

Table 2: Effluent Limits and Monitoring Requirements for Outfalls 002, 003, and 004

Effluent Parameters	Units	Effluent Limitations	Monitoring Requirements	
			Frequency	Sample Type
pH	s.u.	6.5 to 8.5	Quarterly[1]	Grab
TSS[3]	mg/L	75 rolling average (see I.B.12)	Quarterly[1]	Grab
Zinc, total recoverable[3]	µg/L	20.7 maximum daily limit	Quarterly[1]	Grab
2,4,5-Trichlorophenol	µg/L	Report	1/year	Grab
2,4,6-Trichlorophenol	µg/L	Report	1/year	Grab
2,4-Dichlorophenol	µg/L	Report	1/year	Grab
2,4-Dimethylphenol	µg/L	Report	1/year	Grab
2,4-Dinitrophenol	µg/L	Report	1/year	Grab
2-Chlorophenol	µg/L	Report	1/year	Grab
2-Methyl-4,6-Dinitrophenol	µg/L	Report	1/year	Grab
3-Methyl-4-Chlorophenol	µg/L	Report	1/year	Grab
Aluminum, total recoverable	µg/L	Report	2/year[2]	Grab
Ammonia, total as N	mg/L	Report	2/year[2]	Grab
COD	mg/L	Report	Quarterly[1]	Grab
Dinitrophenols	µg/L	Report	1/year	Grab
Hardness	mg/L as CaCO3	Report	2/year[2]	Grab
Manganese, total recoverable	µg/L	Report	2/year[2]	Grab
Nitrate-Nitrite as N	mg/L	Report	2/year[2]	Grab
Nonylphenol	µg/L	Report	1/year	Grab
Orthophosphate as P	mg/L	Report	2/year[2]	Grab
Pentachlorophenol	µg/L	Report	1/year	Grab
Phenol	µg/L	Report	1/year	Grab

Effluent Parameters	Units	Effluent Limitations	Monitoring Requirements	
			Frequency	Sample Type
Phosphorus, total as P	mg/L	Report	2/year[2]	Grab
Total Kjeldahl nitrogen	mg/L	Report	2/year[2]	Grab

Notes:

1. Quarters are defined as January 1st – March 31st, April 1st – June 30th, July 1st – September 30th, and October 1st – December 31st. Results must be reported on the March, June, September, and December DMRs.

2. One sample must be taken between January 1st and June 30th and a second sample must be taken between July 1st and December 31st. Results must be reported on the June and December DMRs.

3. These effluent limits are subject to a compliance schedule. See II.B.

2. The permittee must report within 24 hours any violation of the maximum daily limits for the following pollutants: iron and zinc. Violations of all other effluent limits are to be reported at the time that discharge monitoring reports are submitted (See III.B. and III.H.).

3. Narrative limitations for floating, suspended or submerged matter:

   a) The permittee must not discharge visible oils, scum, foam, grease, and other floating materials and suspended substances of a persistent nature.

   b) The permittee must observe the surface of the receiving water in the vicinity of where the effluent enters the surface water. The permittee must maintain a written log of the observation which includes the date, time, observer, and whether there is presence of floating, suspended or submerged matter. The log must be retained and made available to EPA or insert state or tribe upon request.

4. The permittee must not discharge woody material such as bark, twigs, branches, heartwood or sapwood that will not pass through a 2.54 cm (1.0 in) diameter round opening.

5. The permittee must not discharge process wastewater. The term “process wastewater” specifically excludes non-contact cooling water, material storage yard runoff (either raw material or processed wood storage), boiler blowdown, and wastewater from washout of thermal oxidizers or catalytic oxidizers, wastewater from biofilters, or wastewater from wet electrostatic precipitators used upstream of thermal oxidizers or catalytic oxidizers installed to comply with the national emissions standards for hazardous air pollutants (NESHAP) for plywood and composite wood products (PCWP) facilities (40 CFR part 63, subpart DDDD) and fire control water.

6. Temperature data must be recorded using micro-recording temperature devices known as thermistors. Set the recording device to record at one-hour intervals. Report the following temperature monitoring data on the DMR: monthly instantaneous maximum, maximum daily average, seven-day running average of the daily instantaneous maximum.

7. Use the temperature device manufacturer's software to generate (export) an Excel or electronic ASCII text file. The file must be submitted annually to the EPA and the Coeur d’Alene Tribe by January 31 for the previous monitoring year along

with the placement log. The placement logs should include the following information for both thermistor deployment and retrieval: date, time, temperature device manufacturer ID, location, depth, whether it measured air or water temperature, and any other details that may explain data anomalies. The permittee may submit the file as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID0000019_temperature_43599, where YYYY_MM_DD is the date that the permittee submits the file.

8. The permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.
9. For all effluent monitoring, the permittee must use sufficiently sensitive analytical methods which meet the following:
   a) Parameters with an effluent limit. The method must achieve a minimum level (ML) less than the effluent limitation unless otherwise specified in *Table 1: Effluent Limits and Monitoring Requirements for Outfall 001* or *Table 2: Effluent Limits and Monitoring Requirements for Outfalls 002, 003, and 004*.
   b) Parameters that do not have effluent limitations.
      (i) The permittee must use a method that detects and quantifies the level of the pollutant, or
      (ii) The permittee must use a method that can achieve a maximum ML less than or equal to those specified in Appendix A*;*
   c) For parameters that do not have an effluent limit, the permittee may request different MLs. The request must be in writing and must be approved by EPA.
   d) See also Part III.C *Monitoring Procedures*.
10. For purposes of reporting on the DMR for a single sample, if a value is less than the MDL, the permittee must report "less than {numeric value of the MDL}" and if a value is less than the ML, the permittee must report "less than {numeric value of the ML}."
11. For purposes of calculating monthly averages, zero may be assigned for values less than the MDL and the numeric value of the MDL may be assigned for values between the MDL and the ML. If the average value is less than the MDL, the permittee must report "less than {numeric value of the MDL}" and if the average value is less than the ML, the permittee must report "less than {numeric value of the ML}." If a value is equal to or greater than the ML, the permittee must report and use the actual value.
12. Rolling average limit for TSS at Outfalls 002, 003, and 004: The rolling average TSS concentration must be calculated as the arithmetic average of the TSS concentrations measured during the 3-quarter or 9-month period ending on the last day of the reporting quarter. The maximum allowable rolling average TSS concentration is 75 mg/L.

C. Stormwater Controls, Inspections and Corrective Actions

1. Control Measure Selection and Design Considerations: The permittee must consider the following when selecting and designing control measures:

   a) Preventing stormwater from contacting polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater.

   b) Using control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in the stormwater discharge;

   c) Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;

   d) Minimizing impervious areas at the facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve ground water recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;

   e) Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;

   f) Conserving and/or restoring riparian buffers will help protect streams from stormwater runoff and improve water quality; and

   g) Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

2. Non-Numeric Technology-based Effluent Limits

   a) Minimize Exposure: The permittee must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff in order to minimize pollutant discharges by either locating these industrial materials and activities inside or protecting them with storm resistant coverings. Unless infeasible, the permittee must also:

      (i) Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;

      (ii) Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;

      (iii) Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;

      (iv) Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;

      (v) Use spill/overflow protection equipment;

(vi) Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and

(vii) Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks.

b) Good Housekeeping. The permittee must keep clean all exposed areas that are potential sources of pollutants. The permittee must perform good housekeeping measures in order to minimize pollutant discharges, including but not limited to, the following:

(i) Sweep or vacuum at regular intervals or, alternatively, wash down the area and collect and/or treat, and properly dispose of the washdown water.

(ii) Store materials in appropriate containers.

(iii) Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that discharges have a control (e.g., secondary containment, treatment). This permit does not authorize dry weather discharges from dumpsters or roll off boxes.

(iv) Minimize the potential for waste, garbage and floatable debris to be discharged by keeping exposed areas free of such materials, or by intercepting them before they are discharged.

(v) In areas where storage, loading and unloading, and material handling occur, perform good housekeeping to minimize the discharge of wood debris, leachate generated from decaying wood materials, and the generation of dust.

c) Maintenance. The permittee must maintain all control measures that are used to achieve the effluent limits in this permit in effective operating condition, as well as all industrial equipment and systems, in order to minimize pollutant discharges. This includes:

(i) Performing inspections and preventive maintenance of stormwater drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in contamination of stormwater.

(ii) Diligently maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).

(iii) Inspecting and maintaining baghouses at least quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior baghouse.

(iv) Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth and keeping the debris surface at least six inches below the lowest outlet pipe.

d) Spill Prevention and Response: The permittee must minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges. The permittee must conduct spill prevention and response measures, including but not limited to, the following:

(i) Plainly label containers (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides") that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;

(ii) Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;

(iii) Develop training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;

(iv) Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made; and

(v) Notify appropriate facility personnel when a leak, spill, or other release occurs.

e) The permittee must minimize erosion by stabilizing exposed soils at the facility in order to minimize pollutant discharges and placing flow velocity dissipation devices at discharge locations to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points. The permittee must also use structural and non-structural control measures to minimize the discharge of sediment. If the permittee uses polymers and/or other chemical treatments as part of the controls, the permittee must identify the polymers and/or chemicals used and the purpose in the SWPPP. There are many resources available to help the permittee select appropriate BMPs for erosion and sediment control, including EPA's Stormwater Discharges from Construction Activities website at: https://www.epa.gov/npdes/stormwater-discharges-construction-activities.

f) Management of Runoff: The permittee must divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff to minimize pollutants in the discharges. In selecting, designing, installing, and implementing appropriate control measures, the permittee is encouraged to consult with EPA's Internet-based resources relating to runoff management, including the Industrial Stormwater Fact Sheet for timber products facilities (https://www.epa.gov/sites/production/files/2015-10/documents/sector_a_timber.pdf), the National Menu of Stormwater BMPs (https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater), and National Management Measures to Control Nonpoint

Source Pollution from Urban Areas (https://www.epa.gov/nps/urban-runoff-national-management-measures).

g) Salt Storage Piles or Piles Containing Salt. The permittee must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces, in order to minimize pollutant discharges. The permittee must implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. Piles do not need to be enclosed or covered pursuant to this permit if stormwater runoff from the piles is not discharged or if discharges from the piles are authorized under another NPDES permit.

h) Employee Training: The permittee must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of the stormwater pollution prevention team. The permittee must ensure the following personnel understand the requirements of this permit and their specific responsibilities with respect to those requirements:

(i) Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);

(ii) Personnel responsible for the storage and handling of chemicals and materials that could become contaminants in stormwater discharges;

(iii) Personnel who are responsible for conducting and documenting monitoring and inspections as required in Parts I.B, I.D, and I.C.3;

(iv) Personnel who are responsible for taking and documenting corrective actions as required in Part I.C.4. and

(v) Personnel must be trained in at least the following if related to the scope of their job duties (e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections):

- An overview of what is in the SWPPP;
- Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
- The location of all controls on the site required by this permit, and how they are to be maintained;
- The proper procedures to follow with respect to the permit's pollution prevention requirements; and
- When and how to conduct inspections, record applicable findings, and take corrective actions.

i) Non-Stormwater Discharges. The permittee must evaluate for the presence of non-stormwater discharges. Any non-stormwater discharges not explicitly authorized in Part I.A or covered by another NPDES permit must be eliminated. This includes vehicle and equipment/tank wash water. If not covered under a separate NPDES permit, wastewater, wash water and any other unauthorized non-stormwater must be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or otherwise disposed of appropriately.

j) Dust Generation and Vehicle Tracking of Industrial Materials. The permittee must minimize generation of dust and off-site tracking of raw, final, or waste materials in order to minimize pollutant discharges.

3. Stormwater inspections

a) Routine Facility Inspections: During normal facility operating hours the permittee must conduct inspections of areas of the facility covered by the requirements in this permit, including, but not limited to, the following:

(i) Areas where industrial materials or activities are exposed to stormwater;

(ii) Areas identified in the SWPPP and those that are potential pollutant sources;

(iii) Areas where spills and leaks have occurred in the past three years;

(iv) Discharge points; and

(v) Control measures used to comply with the effluent limits contained in this permit.

b) Inspections must be conducted at least monthly. Increased frequency may be appropriate for some types of equipment, processes and stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring.

c) Inspections must be performed by personnel who are knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and who possess the education and ability to assess conditions at the industrial facility that could impact stormwater quality, and the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit, with at least one member of the permittee's stormwater pollution prevention team participating. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

d) During the inspection the permittee must examine or look out for the following:

(i) Industrial materials, residue or trash that may have or could contact stormwater;

(ii) Leaks or spills from industrial equipment, drums, tanks and other containers;

(iii) Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;

(iv) Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas; and,

(v) Control measures needing replacement, maintenance or repair.

e) During an inspection occurring during a stormwater event or discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. Discharge points must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected.

f) Routine Facility Inspection Documentation: The permittee must document the findings of the permittee's facility inspections and maintain this report with the SWPPP as required in II.C.11. Do not submit the routine facility inspection report to the EPA, unless specifically requested to do so. However, the permittee must summarize the findings in the annual report per II.C.12. Document all findings, including but not limited to, the following information:

(i) The inspection date and time;

(ii) The name(s) and signature(s) of the inspector(s);

(iii) Weather information;

(iv) All observations relating to the implementation of control measures at the facility, including:

- A description of any discharges occurring at the time of the inspection;
- Any previously unidentified discharges from and/or pollutants at the site;
- Any evidence of, or the potential for, pollutants entering the drainage system;
- Observations regarding the physical condition of and around all outfalls, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
- Any control measures needing maintenance, repairs, or replacement.

(v) Any additional control measures needed to comply with the permit requirements;

(vi) Any incidents of noncompliance; and

(vii) A statement signed and certified in accordance with Part V.E.

g) Any corrective action required as a result of a routine facility inspection must be performed consistent with Part I.C.4 of this permit.

4. Stormwater Corrective Actions

a) Conditions requiring SWPPP review and revision to ensure effluent limits are met: When any of the following conditions occur or are detected during an inspection, monitoring or other means, or the EPA or the Coeur d'Alene Tribe informs the permittee that any of the following conditions have occurred, the permittee must review and revise, as appropriate, the SWPPP (e.g., sources of pollution; spill and leak procedures; non-stormwater discharges; the selection, design, installation and implementation of the permittee's control measures) so that this permit's effluent limits are met and pollutant discharges are minimized.

(i) An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this permit to a water of the U.S.) occurs at the facility;

(ii) A stormwater discharge violates a numeric effluent limit;

(iii) The permittee's control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in this permit;

(iv) A required control measure was never installed, was installed incorrectly, or is not being properly operated or maintained; or,

(v) Whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).

b) Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary. If any of the following conditions occur, the permittee must review the SWPPP (e.g., sources of pollution, spill and leak procedures, non-stormwater discharges, selection, design, installation and implementation of the permittee's control measures) to determine if modifications are necessary to meet the effluent limits in this permit:

(i) Construction or a change in design, operation, or maintenance at the facility that significantly changes the nature of pollutants discharged in stormwater from the facility, or significantly increases the quantity of pollutants discharged.

c) Corrective Actions and Deadlines

(i) Immediate Actions: If corrective action is needed, the permittee must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.

(ii) Subsequent Actions: If the permittee determines that additional actions are necessary beyond those implemented pursuant to Part I.C.4.c)(i), the permittee must complete the corrective actions (e.g., install a new or modified control and make it operational, complete the repair) before the next storm event if possible, and within 14 calendar days from the time of discovery of the corrective action condition. If it is infeasible to complete the corrective action within 14 calendar days, the permittee must document why it is infeasible to complete the corrective action within the 14-day timeframe. The permittee must also identify the schedule for completing the work, which must be done as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. If the completion of corrective action will exceed the 45 day timeframe, the permittee may take the minimum additional time necessary to complete the corrective action, provided that the permittee notifies the EPA of its intention to exceed 45 days, the rationale for an extension, and a completion date, which the permittee must also include in its corrective action documentation (see Part I.C.4.d)). Where the permittee's corrective actions result in changes to any of the controls or procedures documented in the SWPPP, the permittee must modify the SWPPP accordingly within 14 calendar days of completing corrective action work. These time intervals are not grace periods, but are schedules considered reasonable for documenting the permittee's findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

d) Corrective Action Documentation: The permittee must document the existence of any of the conditions listed in Parts I.C.4.a) or I.C.4.b) within 24 hours of becoming aware of such condition. The permittee is not required to submit its corrective action documentation to the EPA, unless specifically requested to do so. However, the permittee must summarize the findings in the annual report per II.C.12. Include the following information in the documentation:

(i) Description of the condition triggering the need for corrective action review. For any spills or leaks, include the following information: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to waters of U.S., through stormwater or otherwise;

(ii) Date the condition was identified;

(iii) Description of immediate actions taken pursuant to Part I.C.4.c)(i) to minimize or prevent the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up completed, notifications made, and staff involved. Also include any measures

taken to prevent the reoccurrence of such releases (see Part I.C.2.e); and

(iv) A statement signed and certified in accordance with Part V.E.

(v) The permittee must also document the corrective actions taken or to be taken as a result of the conditions listed in Part I.C.4.a) or I.C.4.b) (or, for triggering events in Part I.C.4.b) where the permittee determines that corrective action is not necessary, the basis for this determination) within 14 days from the time of discovery of any of those conditions. Provide the dates when each corrective action was initiated and completed (or is expected to be completed). If applicable, document why it is infeasible to complete the necessary installations or repairs within the 14-day timeframe and document the schedule for installing the controls and making them operational as soon as practicable after the 14-day timeframe. If the permittee notified EPA regarding an extension of the 45-day timeframe, the permittee must document the rationale for an extension.

D. Whole Effluent Toxicity Testing Requirements

The permittee must conduct chronic toxicity tests on effluent samples from outfall 001. Testing must be conducted in accordance with subsections 1 through 8, below.

1. A split of each sample collected must be analyzed for the chemical and physical parameters required in Part I.B. above. When the timing of sample collection coincides with that of the sampling required in Part I.B, analysis of the split sample will fulfill the requirements of Part I.B. as well.

2. Chronic Test Species and Methods

   a) For Outfall 001, chronic WET testing must be conducted annually while the permit remains in effect. WET testing must begin during the 1st quarter of the first full calendar year (January 1 – December 31) after the effective date of the permit. Annual testing shall be conducted on a rotating quarterly schedule, so that each annual test is conducted during a different quarter than the previous year's test. After four years of annual testing (one test per year, each during a different quarter), the cycle is repeated. For the purposes of WET testing, the annual testing schedule is defined as follows:

   - First full calendar year: 1st Quarter (January 1—March 31);
   - Second calendar year: 2nd Quarter (April 1—June 30);
   - Third calendar year: 3rd Quarter (July 1—September 30);
   - Fourth calendar year: 4th Quarter (October 1—December 31)
   - Fifth calendar year, and thereafter: repeat rotating quarterly schedule, starting with annual testing during 1st Quarter.

   b) The permittee must conduct the following three chronic toxicity tests on each sample, using the following species and protocols:

Table 3: Chronic Whole Effluent Toxicity Tests and Methods

Freshwater Chronic Toxicity Tests	Species	Method
Fathead minnow larval survival and growth test (method 1000.0)	*Pimephales promelas*	EPA-821-R-02-013
Daphnid survival and reproduction test (method 1002.0)	*Ceriodaphnia dubia*	EPA-821-R-02-013
Green algae growth test (method 1003.0)	*Raphidocelis subcapitata (*formerly known as *Selenastrum capricornutum)*	EPA-821-R-02-013

c) The presence of chronic toxicity must be determined as specified in the respective methods manuals corresponding to the required test method.

d) Results must be reported in TU_c (chronic toxic units), which is defined as follows:

(i) For survival endpoints, $TU_c = 100/NOEC$.

(ii) For all other test endpoints, $TU_c = 100/IC_{25}$.

(iii) IC_{25} means "25% inhibition concentration." The IC_{25} is a point estimate of the toxicant concentration, expressed in percent effluent, that causes a 25% reduction in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (e.g., Interpolation Method).

(iv) NOEC means "no observed effect concentration." The NOEC is the highest concentration of toxicant, expressed in percent effluent, to which organisms are exposed in a chronic toxicity test [full life-cycle or partial life-cycle (short term) test], that causes no observable adverse effects on the test organisms (i.e., the highest concentration of effluent in which the values for the observed responses are not statistically significantly different from the controls).

3. Toxicity Trigger: The chronic toxicity trigger is defined as toxicity exceeding 38.9 TU_c.

4. Quality Assurance

a) The toxicity testing on each organism must include a series of six test dilutions and a control. The dilution series must include 100, 50, 25, 12.5, 6.25 and the receiving water concentration (RWC), which is 2.6% effluent.

b) All quality assurance criteria and statistical analyses used for chronic tests and reference toxicant tests must be in accordance with Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002, and individual test protocols.

c) In addition to those quality assurance measures specified in the methodology, the following quality assurance procedures must be followed:

(i) If organisms are not cultured in-house, concurrent testing with reference toxicants must be conducted. If organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicant tests must be conducted using the same test conditions as the effluent toxicity tests.

(ii) If either of the reference toxicant tests or the effluent tests do not meet all test acceptability criteria as specified in the test methods manual, the permittee must re-sample and re-test within 14 days of receipt of the test results.

(iii) Control and dilution water must be receiving water or lab water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control, using culture water must also be used. Receiving water may be used as control and dilution water upon notification of EPA and The Coeur d'Alene Tribe. In no case shall water that has not met test acceptability criteria be used for either dilution or control.

5. Accelerated Testing.

a) If or chronic toxicity is detected above the trigger specified in paragraph I.D.3., the permittee must conduct four (see also Part C.5.d., below) more biweekly tests over an eight-week period. This accelerated testing must be initiated within two weeks of receipt of the test results that indicate an exceedance.

b) The permittee must notify EPA of the exceedance in writing within two weeks of receipt of the test results. The notification must include the following information:

(i) A status report on any actions required by the permit, with a schedule for actions not yet completed.

(ii) A description of any additional actions the permittee has taken or will take to investigate and correct the cause(s) of the toxicity.

(iii) Where no actions have been taken, a discussion of the reasons for not taking action.

c) If none of the four accelerated tests exceed the toxicity trigger, the permittee may return to the normal testing frequency. If any of the four tests exceed the trigger, then the TRE requirements in Part I.B.6., shall apply.

d) Initial Investigation. If the permittee demonstrates through an evaluation of facility operations that the cause of the exceedance is known and corrective actions have been implemented, only one accelerated test is necessary. If toxicity exceeding the trigger is detected in this test, then the TRE requirements in Part I.D.6 shall apply.

6. Toxicity Reduction Evaluation (TRE) and Toxicity Identification Evaluation (TIE):

a) If or chronic toxicity triggers are exceeded during accelerated testing under Part I.D.5, the permittee must initiate a toxicity reduction evaluation (TRE) in accordance with *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070) within two weeks of the exceedance. At a minimum, the TRE must include:

(i) Further actions to investigate and identify the cause of toxicity;

(ii) Actions the permittee will take to mitigate the impact of the discharge and to prevent the recurrence of toxicity; and

(iii) A schedule for these actions.

b) If a TRE is initiated prior to completion of the accelerated testing, the accelerated testing schedule may be terminated, or used as necessary in performing the TRE.

c) The permittee may initiate a Toxicity Identification Evaluation (TIE) as part of the TRE process. Any TIE must be performed in accordance with EPA guidance manuals, T*oxicity Identification Evaluation; Characterization of Chronically Toxic Effluents, Phase I* (EPA/600/6-91/005F), *Methods for Aquatic Toxicity Identification Evaluations, Phase II: Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080), and *Methods for Aquatic Toxicity Identification Evaluations, Phase III: Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA-600/R-92/081).

7. Reporting

a) The permittee must submit the results of the toxicity tests with the discharge monitoring reports (DMR) for the month following sample collection.

b) The permittee must submit the results of any accelerated testing under Part I.D.5, within 2 weeks of receipt of the results from the lab. The full report must be submitted within 4 weeks of receipt of the results from the lab. In an initial investigation indicates the source of toxicity and accelerated testing is unnecessary, the result of the investigation must be submitted with the DMR for the month following completion of the investigation.

c) The report of toxicity test results must include all relevant information outlined in Section 10, Report Preparation, of *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Fourth Edition, EPA/821-R-02-013, October 2002. In addition to toxicity test results, the permittee must report: dates of sample collection and initiation of each test; the toxicity triggers as defined in paragraph I.D.3; flow rate at the time of sample collection; and the results of the monitoring required in Part I.B.

d) The permittee may submit the toxicity testing as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID0000019_Bioassay_02610, where YYYY_MM_DD is the date that the permittee submits the report.

E. Surface Water Monitoring

The permittee must conduct surface water monitoring. Surface water monitoring of the St. Joe River must start within 120 days after the effective date of the permit Surface water monitoring of the unnamed ditch receiving discharges from outfalls 002, 003, and 004 must start in the first quarter of the first full calendar year after the effective date of the final permit. Surface water monitoring must continue for as long as the permit remains in effect. The program must meet the following requirements:

1. Monitoring stations must be established at the following locations:
   a) In the St. Joe River above the influence of the facility's discharge, and
   b) In the unnamed ditch receiving discharges from outfalls 002, 003, and 004, between outfall 002 and the pump station which conveys water to the St. Joe River.
2. The permittee must seek written approval of the surface water monitoring stations from the Coeur d'Alene Tribe.
3. A failure to obtain the Coeur d'Alene Tribe approval of surface water monitoring stations does not relieve the permittee of the surface water monitoring requirements of this permit.
4. To the extent practicable, surface water sample collection must occur on the same day as effluent sample collection.
5. All ambient samples must be grab samples.
6. Aluminum and manganese must be analyzed as total recoverable.
7. Samples must be analyzed for the parameters listed in Table 4 and Table 5, and must achieve method detection limits (MDLs) that are equivalent to or less than those listed in Table 4 and Table 5. The permittee may request different MDLs. The request must be in writing and must be approved by EPA.

Table 4: Surface Water Monitoring of the St. Joe River

Parameter	Units	Frequency[2]	Sample Locations	Minimum Level[3] (ML)
Temperature (July 1 – September 30)	°C	Continuous	Upstream	+/- 0.2 °C
Aluminum	µg/L	3/year	Upstream	10
Manganese	µg/L	3/year	Upstream	0.5

Footnotes:
1. The sampling type is by grab sampling for all parameters listed in table, except for continuous temperature monitoring.
2. 3/year sampling frequency is defined as December, February, and May of each year.
3. The Minimum Level must be no greater than listed.

Table 5: Surface Water Monitoring of the Unnamed Ditch

Parameter	Units	Frequency[2]	Sample Locations	Minimum Level[3] (ML)
DOC	mg/L	1/year	Between Outfall 002 and the pump station	1
Hardness	mg/L as $CaCO_3$	1/year	Between Outfall 002 and the pump station	0.2
pH	s.u.	1/year	Between Outfall 002 and the pump station	N/A
Temperature	°C	1/year	Between Outfall 002 and the pump station	+/- 0.2 °C

Footnotes:
1. The sampling type is by grab sampling for all parameters listed in table.
2. Annual receiving water monitoring must occur on a rotating quarterly schedule as follows:
   - First full calendar year: 1st Quarter (January 1—March 31);
   - Second calendar year: 2nd Quarter (April 1—June 30);
   - Third calendar year: 3rd Quarter (July 1—September 30);
   - Fourth calendar year: 4th Quarter (October 1—December 31)
   - Fifth calendar year, and thereafter: repeat rotating quarterly schedule, starting with annual testing during 1st Quarter.
3. The Minimum Level must be no greater than listed.

8. Quality assurance/quality control plans for all the monitoring must be documented in the Quality Assurance Plan required under Part II.A., "Quality Assurance Plan".

9. Submission of Surface Water Monitoring

   a) The permittee must submit all surface water monitoring results for the previous calendar year for all parameters in an annual report to EPA and the Coeur d'Alene Tribe by January 31st of the following year and with the application (see Part V.B of this permit, Duty to Reapply). The file must be in the format of one analytical result per row and include the following information: name and contact information of laboratory, sample identification number, sample location in latitude and longitude (decimal degrees format), method of location determination (i.e., GPS, survey etc.), date and time of sample collection, water quality parameter (or characteristic being measured), analysis result, result units, detection limit and definition (i.e., MDL etc.), analytical method, date completed, and any applicable notes.

   b) The permittee may submit the surface water monitoring report as an attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID0000019_SWMRP, where YYYY_MM_DD is the date that the permittee submits the report.

II. Special Conditions

A. Quality Assurance Plan (QAP)

The permittee must develop a quality assurance plan (QAP) for all monitoring required by this permit. Any existing QAPs may be modified for compliance with this section.

Within 180 days of the effective date of this permit, the permittee must submit written notice to EPA and the Coeur d'Alene Tribe that the QAP has been developed and implemented. The permittee may submit written notification as an electronic attachment to the DMR. The file name of the electronic attachment must be as

follows: YYYY_MM_DD_ID0000019_QAP_55099, where YYYY_MM_DD is the date that the permittee submits the written notification. The plan must be retained on site and made available to EPA and/or the Coeur d'Alene Tribe upon request.

1. The QAP must be designed to assist in planning for the collection and analysis of effluent and receiving water samples in support of the permit and in explaining data anomalies when they occur.
2. Throughout all sample collection and analysis activities, the permittee must use the EPA-approved QA/QC and chain-of-custody procedures described in *EPA Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5). The QAP must be prepared in the format that is specified in these documents.
3. At a minimum, the QAP must include the following:
   a) Details on the number of samples, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements.
   b) Map(s) indicating the location of each sampling point.
   c) Qualification and training of personnel.
   d) Name(s), address(es) and telephone number(s) of the laboratories used by or proposed to be used by the permittee.
4. The permittee must amend the QAP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAP.
5. Copies of the QAP must be kept on site and made available to EPA and/or the Coeur d'Alene Tribe upon request.

B. Schedule of Compliance

1. The permittee must achieve compliance with the total suspended solids and zinc limitations of Part I.B. (Table 1 and Table 2), by 5 years after the effective date of the final permit.
2. The permittee must submit an Annual Report of Progress which outlines the progress made towards reaching the compliance date for the total suspended solids and zinc effluent limitations. The annual Report of Progress must be submitted by insert date one year after effective date of permit of each year. The first report is due insert date one year after effective date of permit and annually thereafter, until compliance with the total suspended solids effluent limits is achieved. The permittee may submit the annual report as an attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID0000019_Progress_CS010, where YYYY_MM_DD is the date that the permittee submits the written notification. See also Part III.J., "Compliance Schedules". At a minimum, the annual report must include:

a) An assessment of the previous year of TSS and zinc data and comparison to the effluent limitations.

b) A report on progress made towards meeting the effluent limitations.

c) Further actions and milestones targeted for the upcoming year.

C. Stormwater Pollution Prevention Plan (SWPPP)

The permittee must have a Stormwater Pollution Prevention Plan (SWPPP). Any existing SWPPP must be reviewed and updated to implement the applicable provisions of this permit. The SWPPP is intended to document the selection, design, and installation of control measures to meet the permit's stormwater effluent limits. As distinct from the SWPPP, the additional documentation requirements (see Part II.C.11) are intended to document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements. The permittee must submit written notification that a SWPPP consistent with the requirements of this permit has been developed within 180 days of the effective date of this permit. The permittee may submit written notification as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID0000019_62199_SWPPP, where YYYY_MM_DD is the date that the permittee submits the written notification.

1. Persons Responsible for SWPPP Preparation: The SWPPP must be prepared in accordance with good engineering practices and to industry standards. The SWPPP may be developed by either a person on the permittee's staff or a third party hired by the permittee, but it must be developed by a person knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and possesses the education and ability to assess conditions at the industrial facility that could impact stormwater quality, and the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit and must be certified per the signature requirements in Part V.E. If EPA concludes that the SWPPP is not in compliance with Part II.C.2 of this permit, EPA may require the SWPPP to be reviewed, amended as necessary, and certified by a Professional Engineer with the education and experience necessary to prepare an adequate SWPPP.
2. Contents of SWPPP: The SWPPP must contain the following elements:
   a) Stormwater pollution prevention team (see Part II.C.3);
   b) Site description (see Part II.C.4);
   c) Summary of potential pollutant sources (see Part II.C.5);
   d) Description of control measures (see Part II.C.6);
   e) Schedules and procedures (see Part II.C.7 and II.C.8);
   f) Signatory requirements (see Part V.E);
   g) If the SWPPP refers to procedures in other facility documents, such as a Spill Prevention, Control and Countermeasure (SPCC) Plan, an Environmental

Management System (EMS), or a Best Management Practices (BMP) Plan, copies of the relevant portions of those documents must be kept with the SWPPP.

3. Stormwater Pollution Prevention Team: The permittee must identify the staff members (by name or title) that comprise the facility's stormwater pollution prevention team as well as their individual responsibilities. The stormwater pollution prevention team is responsible for overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining control measures and taking corrective actions when required. Each member of the stormwater pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit, the most updated copy of the SWPPP, and other relevant documents or information that must be kept with the SWPPP.
4. Site Description: The SWPPP must include the following:
   a) Activities at the Facility. Provide a description of the nature of the industrial activities at the facility.
   b) General location map. Provide a general location map with enough detail to identify the location of the facility and all receiving waters for stormwater discharges.
   c) Site map. Provide a map showing:
      (i) Boundaries of the property and the size of the property in acres;
      (ii) Location and extent of significant structures and impervious surfaces;
      (iii) Directions of stormwater flow (use arrows);
      (iv) Locations of all stormwater control measures;
      (v) Locations of all receiving waters, including wetlands, in the immediate vicinity of the facility. Indicate which waterbodies are listed as impaired;
      (vi) Locations of all stormwater conveyances including ditches, pipes, and swales;
      (vii) Locations of potential pollutant sources identified under Part II.C.5.b);
      (viii) Locations where significant spills or leaks identified under Part II.C.5.c) have occurred;
      (ix) Locations of all stormwater monitoring points;
      (x) Locations of stormwater inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall 001, 002), and an approximate outline of the areas draining to each outfall;
      (xi) If applicable, municipal separate storm sewer systems (MS4s) and where this facility's stormwater discharges to them;

(xii) Areas of designated critical habitat for endangered or threatened species, if applicable;

(xiii) Locations of the following activities where such activities are exposed to precipitation:

- fueling stations;
- vehicle and equipment maintenance and/or cleaning areas;
- loading/unloading areas;
- locations used for the treatment, storage, or disposal of wastes;
- liquid storage tanks;
- processing and storage areas;
- immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
- transfer areas for substances in bulk;
- machinery;
- locations and sources of run-on to the site from adjacent property that contains significant quantities of pollutants.

5. Summary of Potential Pollutant Sources: The permittee must describe areas at the facility where industrial materials or activities are exposed to stormwater or from which allowable non-stormwater discharges originate. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For structures located in areas of industrial activity, the permittee must be aware that the structures themselves are potential sources of pollutants. This could occur, for example, when metals such as aluminum or copper are leached from the structures as a result of acid rain. For each area identified, the description must include:

   a) Activities in the area: A list of the industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams).

   b) Pollutants: A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from the facility. The pollutant list must include all significant materials that have been handled, treated, stored or disposed, and that have been exposed to stormwater in the three years prior to the date the permittee prepared or amended the SWPPP.

c) The permittee must document where potential spills and leaks could occur that could contribute pollutants to stormwater discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. The permittee must document all significant spills and leaks of oil or toxic or hazardous substances that actually occurred at exposed areas, or that drained to a stormwater conveyance, in the three years prior to the date the permittee prepared or amended the SWPPP.

d) The permittee must document that you have evaluated for the presence of unauthorized non-stormwater discharges. Documentation of the evaluation must include:

(i) The date of the evaluation;

(ii) A description of the evaluation criteria used;

(iii) A list of the outfalls or onsite drainage points that were directly observed during the evaluation; and

(iv) The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), or documentation that a separate NPDES permit was obtained. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge.

e) The permittee must document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

f) Existing dischargers must summarize all stormwater discharge sampling data collected at the facility during the previous permit term. The summary shall include a narrative description (and may include data tables/figures) that adequately summarizes the collected sampling data to support identification of potential pollution sources at the facility. New dischargers and new sources must provide a summary of any available stormwater runoff data they may have.

6. Description of Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits: The permittee must document the location and type of control measures the permittee has specifically chosen and/or designed to comply with the:

a) Numeric effluent limits in Part I.B.

b) Non-numeric technology-based effluent limits in Part I.C.2.

c) Regarding the control measures, the permittee must also document, as appropriate:

(i) How the permittee addressed the selection and design considerations in Part I.C.1;

(ii) How they address the pollutant sources identified in Part II.C.5.

7. Schedules and procedures pertaining to control measures: The following must be documented in the SWPPP.

   a) Good Housekeeping (See Part I.C.2.c)) – A schedule or the convention used for determining when pickup and disposal of waste materials occurs. Also provide a schedule for routine inspections for leaks and conditions of drums, tanks and containers.

   b) Maintenance (See Part I.C.2.d)) – Preventative maintenance procedures, including regular inspections, testing, maintenance and repair of all control measures to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line. The SWPPP must include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part I.C;

   c) Spill Prevention and Response Procedures (See Part I.C.5) – Procedures for preventing and responding to spills and leaks, including notification procedures. For preventing spills, include in the SWPPP the control measures for material handling and storage, and the procedures for preventing spills that can contaminate stormwater. Also specify cleanup equipment, procedures and spill logs, as appropriate, in the event of spills. The permittee may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that the permittee keeps a copy of that other plan onsite and make it available for review consistent with Part II.C.10;

   d) Erosion and Sediment Controls (Part I.C.2.f)) – If the permittee uses polymers and/or other chemical treatments as part of its controls, the permittee must identify the polymers and/or chemicals used and the purpose;

   e) Employee Training (Part I.C.2.h)) – The elements of the employee training plan must include all, but not be limited to, the requirements set forth in Part I.C.2.h), and also the following:

      (i) The content of the training;

      (ii) The frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit;

      (iii) A log of the dates on which specific employees received training.

8. Schedules and procedures pertaining to inspections and assessments: The permittee must document in the SWPPP the procedures for performing, as appropriate, the types of inspections specified by this permit, including routine facility inspections (see Part I.C.3.a)). For each type of inspection performed, the SWPPP must identify:

   a) Person(s) or positions of person(s) responsible for inspection;

b) Schedules for conducting inspections;

c) Specific items to be covered by the inspection, including schedules for specific outfalls.

9. Required SWPPP Modifications: The permittee must modify the SWPPP based on the corrective actions and deadlines required under Part I.C.4 and that the permittee documented under Part I.C.4.d). SWPPP modifications must be signed and dated in accordance with Part V.E.

10. SWPPP Availability: The permittee must retain a complete copy of the current SWPPP required by this permit at the facility in any accessible format. A complete SWPPP includes any documents incorporated by reference as well as the signed and dated certification page. Regardless of the format, the SWPPP must be immediately available to facility employees, the EPA, the Coeur d'Alene Tribe, the operator of an MS4 into which the permittee discharges, and representatives of the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) at the time of an onsite inspection.

11. Additional documentation requirements: The permittee must keep the following inspection, monitoring, and certification records with the SWPPP that together keep the permittee's records complete and up-to-date, and demonstrate the permittee's full compliance with the conditions of this permit.

    a) Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part I.C.2.d));

    b) All inspection reports, including the Routine Facility Inspection Reports (see Part I.C.3.a);

    c) Description of any deviations from the schedule for monitoring, and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event);

    d) Corrective action documentation required per Part I.C.4.d);

    e) Documentation of any stormwater effluent limit violations or exceedances and the type of response to the exceedance that was employed.

12. Stormwater Annual Report: The permittee must submit an Annual Report to EPA electronically, by February 20th for each year of permit coverage containing information related to the SWPPP generated from the past calendar year. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID0000019_SWPPP_06001, where YYYY_MM_DD is the date that the permittee submits the written notification. The permittee must include the following information:

    a) A summary of the permittee's past year's routine facility inspection documentation (See I.C.3.f).

b) A summary of the permittee's past year's corrective action documentation (see Part I.C.4.d)). If corrective action is not yet completed at the time of submission of the annual report, the permittee must describe the status of any outstanding corrective action(s). Also describe any incidents of noncompliance for stormwater discharges in the past year or currently ongoing, or if none, provide a statement that the permittee is in compliance with the permit.

III. General Monitoring, Recording and Reporting Requirements

A. Representative Sampling (Routine and Non-Routine Discharges)

Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

In order to ensure that the effluent limits set forth in this permit are not violated at times other than when routine samples are taken, the permittee must collect additional samples at the appropriate outfall whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a routine sample. The permittee must analyze the additional samples for those parameters limited in Part I.B of this permit that are likely to be affected by the discharge.

The permittee must collect such additional samples as soon as the spill, discharge, or bypassed effluent reaches the outfall. The samples must be analyzed in accordance with paragraph III.C ("Monitoring Procedures"). The permittee must report all additional monitoring in accordance with paragraph III.D ("Additional Monitoring by Permittee").

B. Reporting of Monitoring Results

The permittee must submit monitoring data and other reports electronically using NetDMR.

1. Monitoring data must be submitted electronically to EPA no later than the 20th of the month following the completed reporting period.
2. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part V.E, of this permit Signatory Requirements.
3. The permittee must submit copies of the DMRs and other reports to the Coeur d'Alene Tribe.
4. Submittal of Reports as NetDMR Attachments. Unless otherwise specified in this permit, the permittee may submit all reports to EPA and the Coeur d'Alene Tribe as NetDMR attachments rather than as hard copies. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID0000019_Report Type Name_Identifying Code, where YYYY_MM_DD is the date that the permittee submits the attachment.

5. The permittee may use NetDMR after requesting and receiving permission from US EPA Region 10. NetDMR is accessed from: https://netdmr.epa.gov/.

C. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR 136, unless another method is required under 40 CFR subchapters N or O, or other test procedures have been specified in this permit or approved by EPA as an alternate test procedure under 40 CFR 136.5.

D. Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the permittee must include the results of this monitoring in the calculation and reporting of the data submitted in the DMR.

Upon request by EPA, the permittee must submit results of any other sampling, regardless of the test method used.

E. Records Contents

Records of monitoring information must include:

1. the date, exact place, and time of sampling and measurements;
2. the name(s) of the individual(s) who performed the sampling or measurements;
3. the date(s) analyses were performed;
4. the names of the individual(s) who performed the analyses;
5. the analytical techniques or methods used; and
6. the results of such analyses.

F. Retention of Records

The permittee must retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of DMRs, a copy of the NPDES permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of EPA or the Coeur d'Alene Tribe at any time.

G. Twenty-four Hour Notice of Noncompliance Reporting

1. The permittee must report the following occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances:
   a) any noncompliance that may endanger health or the environment;

b) any unanticipated bypass that exceeds any effluent limitation in the permit (See Part IV.F., "Bypass of Treatment Facilities");

c) any upset that exceeds any effluent limitation in the permit (See Part IV.G., "Upset Conditions"); or

d) any violation of a maximum daily discharge limitation for applicable pollutants identified by Part I.B.2.

2. The permittee must also provide a written submission within five days of the time that the permittee becomes aware of any event required to be reported under subpart 1 above. The written submission must contain:

a) a description of the noncompliance and its cause;

b) the period of noncompliance, including exact dates and times;

c) the estimated time noncompliance is expected to continue if it has not been corrected; and

d) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

3. The Director of the Enforcement and Compliance Assurance Division may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance Hotline in Seattle, Washington, by telephone, (206) 553-1846.

4. Reports must be submitted to the addresses in Part III.B ("Reporting of Monitoring Results").

H. Other Noncompliance Reporting

The permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for Part III.B ("Reporting of Monitoring Results") are submitted. The reports must contain the information listed in Part III.G.2 of this permit ("Twenty-four Hour Notice of Noncompliance Reporting").

I. Changes in Discharge of Toxic Pollutants

The permittee must notify the Director of the Water Division and the Coeur d'Alene Tribe as soon as it knows, or has reason to believe:

1. That any activity has occurred or will occur that would result in the discharge, on a **routine or frequent** basis, of any toxic pollutant that is not limited in the permit, if that discharge may reasonably be expected to exceed the highest of the following "notification levels":

a) One hundred micrograms per liter (100 ug/l);

b) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

c) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or

d) The level established by EPA in accordance with 40 CFR 122.44(f).

2. That any activity has occurred or will occur that would result in any discharge, on a **non-routine or infrequent** basis, of any toxic pollutant that is not limited in the permit, if that discharge may reasonably be expected to exceed the highest of the following "notification levels":

a) Five hundred micrograms per liter (500 ug/l);

b) One milligram per liter (1 mg/l) for antimony;

c) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or

d) The level established by EPA in accordance with 40 CFR 122.44(f).

3. The permittee must submit the notification to the Water Division at the following address:

US EPA Region 10
Attn: NPDES Permitting Section Manager
1200 Sixth Avenue
Suite 155, 19-C04
Seattle, Washington 98101-3188

J. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date.

IV. Compliance Responsibilities

A. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

B. Penalties for Violations of Permit Conditions

1. Civil and Administrative Penalties. Pursuant to 40 CFR Part 19 and the Act, any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461

note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $55,800 per day for each violation).

2. Administrative Penalties. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $22,320 per violation, with the maximum amount of any Class I penalty assessed not to exceed $55,800). Pursuant to 40 CFR 19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $22,320 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $278,995).
3. Criminal Penalties:
    a) Negligent Violations. The Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both.
    b) Knowing Violations. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both.
    c) Knowing Endangerment. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to

a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

d) False Statements. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

C. Need To Halt or Reduce Activity not a Defense

It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this permit.

D. Duty to Mitigate

The permittee must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

E. Proper Operation and Maintenance

The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

F. Bypass of Treatment Facilities

1. Bypass not exceeding limitations. The permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for

essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2 and 3 of this Part.

2. Notice.

   a) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it must submit prior written notice, if possible at least 10 days before the date of the bypass.

   b) Unanticipated bypass. The permittee must submit notice of an unanticipated bypass as required under Part III.G ("Twenty-four Hour Notice of Noncompliance Reporting").

3. Prohibition of bypass.

   a) Bypass is prohibited, and the Director of the Enforcement and Compliance Assurance Division may take enforcement action against the permittee for a bypass, unless:

      (i) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

      (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

      (iii) The permittee submitted notices as required under paragraph 2 of this Part.

   b) The Director of the Enforcement and Compliance Assurance Division may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 3.a. of this Part.

G. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the permittee meets the requirements of paragraph 2 of this Part. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

2. Conditions necessary for a demonstration of upset. To establish the affirmative defense of upset, the permittee must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

   a) An upset occurred and that the permittee can identify the cause(s) of the upset;

   b) The permitted facility was at the time being properly operated;

c) The permittee submitted notice of the upset as required under Part III.G, "Twenty-four Hour Notice of Noncompliance Reporting;" and

d) The permittee complied with any remedial measures required under Part IV.D, "Duty to Mitigate."

3. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

H. Toxic Pollutants

The permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Act within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

I. Planned Changes

The permittee must give written notice to the Director of the Water Division as specified in part III.I.3. and the Coeur d'Alene Tribe as soon as possible of any planned physical alterations or additions to the permitted facility whenever:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as determined in 40 CFR 122.29(b); or

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements under Part III.I ("Changes in Discharge of Toxic Substances").

J. Anticipated Noncompliance

The permittee must give written advance notice to the Director of the Enforcement and Compliance Assurance Division and the Coeur d'Alene Tribe of any planned changes in the permitted facility or activity that may result in noncompliance with this permit.

V. General Provisions

A. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 122.62, 122.64, or 124.5. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

B. Duty to Reapply

If the permittee intends to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. In accordance with 40 CFR 122.21(d), and unless permission for the application to be submitted at a later date has been granted by the Regional Administrator, the permittee must submit a new application at least 180 days before the expiration date of this permit.

C. Duty to Provide Information

The permittee must furnish to EPA and the Coeur d'Alene Tribe, within the time specified in the request, any information that EPA or the Coeur d'Alene Tribe may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee must also furnish to EPA or the Coeur d'Alene Tribe, upon request, copies of records required to be kept by this permit.

D. Other Information

When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or that it submitted incorrect information in a permit application or any report to EPA or the Coeur d'Alene Tribe, it must promptly submit the omitted facts or corrected information in writing.

E. Signatory Requirements

All applications, reports or information submitted to EPA and the Coeur d'Alene Tribe must be signed and certified as follows.

1. All permit applications must be signed as follows:
   a) For a corporation: by a responsible corporate officer.
   b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
   c) For a municipality, state, federal, Indian tribe, or other public agency: by either a principal executive officer or ranking elected official.
2. All reports required by the permit and other information requested by EPA or the Coeur d'Alene Tribe must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
   a) The authorization is made in writing by a person described above;
   b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and

c) The written authorization is submitted to the Director of the Enforcement and Compliance Assurance Division and the Coeur d'Alene Tribe.

3. Changes to authorization. If an authorization under Part V.E.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part V.E.2. must be submitted to the Director of the Enforcement and Compliance Assurance Division and the Coeur d'Alene Tribe prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under this Part must make the following certification:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

F. Availability of Reports

In accordance with 40 CFR 2, information submitted to EPA pursuant to this permit may be claimed as confidential by the permittee. In accordance with the Act, permit applications, permits and effluent data are not considered confidential. Any confidentiality claim must be asserted at the time of submission by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice to the permittee. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR 2, Subpart B (Public Information) and 41 Fed. Reg. 36902 through 36924 (September 1, 1976), as amended.

G. Inspection and Entry

The permittee must allow the Director of the Enforcement and Compliance Assurance Division, EPA Region 10; the Coeur d'Alene Tribe; or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

H. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, nor any infringement of federal, tribal, state or local laws or regulations.

I. Transfers

This permit is not transferable to any person except after written notice to the Director of the Water Division as specified in part III.I.3. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act. (See 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory).

J. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

VI. Definitions

1. "Act" means the Clean Water Act.
2. "Administrator" means the Administrator of the EPA, or an authorized representative.
3. "Average monthly discharge limitation" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
4. "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage areas.

5. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
6. "Chronic toxic unit" ("TUc") is a measure of chronic toxicity. TUc is the reciprocal of the effluent concentration that causes no observable effect on the test organisms by the end of the chronic exposure period (i.e., 100/"NOEC").
7. "Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.
8. "Director of the Enforcement and Compliance Assurance Division" means the Director of the Enforcement and Compliance Assurance Division, EPA Region 10, or an authorized representative.
9. "Director of the Water Division" means the Director of the Water Division, EPA Region 10, or an authorized representative.
10. "DMR" means discharge monitoring report.
11. "EPA" means the United States Environmental Protection Agency.
12. "Grab" sample is an individual sample collected over a period of time not exceeding 15 minutes.
13. "Inhibition concentration", IC, is a point estimate of the toxicant concentration that causes a given percent reduction (p) in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (e.g., Interpolation Method).
14. "Maximum daily discharge limitation" means the highest allowable "daily discharge."
15. "Method Detection Limit (MDL)" means the minimum measured concentration of a substance that can be reported with 99% confidence that the measured concentration is distinguishable from method blank results.
16. "Minimum Level (ML)" means either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL). Minimum levels may be obtained in several ways: They may be published in a method; they may be sample concentrations equivalent to the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a lab, by a factor.
17. "NOEC" means no observed effect concentration. The NOEC is the highest concentration of toxicant (e.g., effluent) to which organisms are exposed in a chronic toxicity test [full life-cycle or partial life-cycle (short term) test], that causes no observable adverse effects on the test organisms (i.e., the highest

concentration of effluent in which the values for the observed responses are not statistically significantly different from the controls).

18. "NPDES" means National Pollutant Discharge Elimination System, the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits . . . under sections 307, 402, 318, and 405 of the CWA.
19. "QA/QC" means quality assurance/quality control.
20. "Regional Administrator" means the Regional Administrator of Region 10 of the EPA, or the authorized representative of the Regional Administrator.
21. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
22. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

Appendix A
Minimum Levels

The Table below lists the maximum Minimum Level (ML) for pollutants that may have monitoring requirements in the permit. The permittee may request different MLs. The request must be in writing and must be approved by EPA. If the Permittee is unable to obtain the required ML in its effluent due to matrix effects, the Permittee must submit a matrix-specific detection limit (MDL) and a ML to EPA with appropriate laboratory documentation.

CONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Biochemical Oxygen Demand	2 mg/L
Soluble Biochemical Oxygen Demand	2 mg/L
Chemical Oxygen Demand	10 mg/L
Dissolved Organic Carbon	1 mg/L
Total Organic Carbon	1 mg/L
Total Suspended Solids	5 mg/L
Total Ammonia (as N)	50
Dissolved oxygen	+/- 0.2 mg/L
Temperature	+/- 0.2º C
pH	N/A

NONCONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Total Alkalinity	5 mg/L as CaCO3
Chlorine, Total Residual	50.0
Color	10 color units
Fluoride (16984-48-8)	100
Nitrate + Nitrite Nitrogen (as N)	100
Nitrogen, Total Kjeldahl (as N)	300
Soluble Reactive Phosphorus (as P)	10
Phosphorus, Total (as P)	10
Oil and Grease (HEM) (Hexane Extractable Material)	5,000
Salinity	3 practical salinity units or scale (PSU or PSS)
Settleable Solids	500 (or 0.1 mL/L)
Sulfate (as mg/L SO4)	0.2 mg/L
Sulfide (as mg/L S)	0.2 mg/L

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Sulfite (as mg/L SO3)	2 mg/L
Total dissolved solids	20 mg/L
Total Hardness	200 as CaCO3
Aluminum, Total (7429-90-5)	10
Barium Total (7440-39-3)	2.0
BTEX (benzene +toluene + ethylbenzene + m,o,p xylenes)	2
Boron Total (7440-42-8)	10.0
Cobalt, Total (7440-48-4)	0.25
Iron, Total (7439-89-6)	50
Magnesium, Total (7439-95-4)	50
Molybdenum, Total (7439-98-7)	0.5
Manganese, Total (7439-96-5)	0.5
Tin, Total (7440-31-5)	1.5
Titanium, Total (7440-32-6)	2.5

PRIORITY POLLUTANTS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
METALS, CYANIDE & TOTAL PHENOLS	
Antimony, Total (7440-36-0)	1.0
Arsenic, Total (7440-38-2)	0.5
Beryllium, Total (7440-41-7)	0.5
Cadmium, Total (7440-43-9)	0.1
Chromium (hex) dissolved (18540-29-9)	1.2
Chromium, Total (7440-47-3)	1.0
Copper, Total (7440-50-8)	2.0
Lead, Total (7439-92-1)	0.16
Mercury, Total (7439-97-6)	0.0005
Nickel, Total (7440-02-0)	0.5
Selenium, Total (7782-49-2)	1.0
Silver, Total (7440-22-4)	0.2
Thallium, Total (7440-28-0)	0.36
Zinc, Total (7440-66-6)	2.5
Cyanide, Total (57-12-5)	10

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Cyanide, Weak Acid Dissociable	10
Cyanide, Free Amenable to Chlorination (Available Cyanide)	10
Phenols, Total	50
2-Chlorophenol (95-57-8)	2.0
2,4-Dichlorophenol (120-83-2)	1.0
2,4-Dimethylphenol (105-67-9)	1.0
4,6-dinitro-o-cresol (534-52-1) (2-methyl-4,6,-dinitrophenol)	2.0
2,4 dinitrophenol (51-28-5)	2.0
2-Nitrophenol (88-75-5)	1.0
4-nitrophenol (100-02-7)	1.0
Parachlorometa cresol (59-50-7) (4-chloro-3-methylphenol)	2.0
Pentachlorophenol (87-86-5)	1.0
Phenol (108-95-2)	4.0
2,4,6-Trichlorophenol (88-06-2)	4.0
VOLATILE COMPOUNDS	
Acrolein (107-02-8)	10
Acrylonitrile (107-13-1)	2.0
Benzene (71-43-2)	2.0
Bromoform (75-25-2)	2.0
Carbon tetrachloride (56-23-5)	2.0
Chlorobenzene (108-90-7)	2.0
Chloroethane (75-00-3)	2.0
2-Chloroethylvinyl Ether (110-75-8)	2.0
Chloroform (67-66-3)	2.0
Dibromochloromethane (124-48-1)	2.0
1,2-Dichlorobenzene (95-50-1)	7.6
1,3-Dichlorobenzene (541-73-1)	7.6
1,4-Dichlorobenzene (106-46-7)	17.6
Dichlorobromomethane (75-27-4)	2.0
1,1-Dichloroethane (75-34-3)	2.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
1,2-Dichloroethane (107-06-2)	2.0
1,1-Dichloroethylene (75-35-4)	2.0
1,2-Dichloropropane (78-87-5)	2.0
1,3-dichloropropene (mixed isomers) (1,2-dichloropropylene) (542-75-6) 6	2.0
Ethylbenzene (100-41-4)	2.0
Methyl bromide (74-83-9) (Bromomethane)	10.0
Methyl chloride (74-87-3) (Chloromethane)	2.0
Methylene chloride (75-09-2)	10.0
1,1,2,2-Tetrachloroethane (79-34-5)	2.0
Tetrachloroethylene (127-18-4)	2.0
Toluene (108-88-3)	2.0
1,2-Trans-Dichloroethylene (156-60-5) (Ethylene dichloride)	2.0
1,1,1-Trichloroethane (71-55-6)	2.0
1,1,2-Trichloroethane (79-00-5)	2.0
Trichloroethylene (79-01-6)	2.0
Vinyl chloride (75-01-4)	2.0
BASE/NEUTRAL COMPOUNDS	
Acenaphthene (83-32-9)	0.4
Acenaphthylene (208-96-8)	0.6
Anthracene (120-12-7)	0.6
Benzidine (92-87-5)	24
Benzyl butyl phthalate (85-68-7)	0.6
Benzo(a)anthracene (56-55-3)	0.6
Benzo(b)fluoranthene (3,4-benzofluoranthene) (205-99-2) 7	1.6
Benzo(j)fluoranthene (205-82-3) 7	1.0
Benzo(k)fluoranthene (11,12-benzofluoranthene) (207-08-9) 7	1.6
Benzo(r,s,t)pentaphene (189-55-9)	1.0
Benzo(a)pyrene (50-32-8)	1.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Benzo(ghi)Perylene (191-24-2)	1.0
Bis(2-chloroethoxy)methane (111-91-1)	21.2
Bis(2-chloroethyl)ether (111-44-4)	1.0
Bis(2-chloroisopropyl)ether (39638-32-9)	0.6
Bis(2-ethylhexyl)phthalate (117-81-7)	0.5
4-Bromophenyl phenyl ether (101-55-3)	0.4
2-Chloronaphthalene (91-58-7)	0.6
4-Chlorophenyl phenyl ether (7005-72-3)	0.5
Chrysene (218-01-9)	0.6
Dibenzo (a,h)acridine (226-36-8)	10.0
Dibenzo (a,j)acridine (224-42-0)	10.0
Dibenzo(a-h)anthracene (53-70-3)(1,2,5,6-dibenzanthracene)	1.6
Dibenzo(a,e)pyrene (192-65-4)	10.0
Dibenzo(a,h)pyrene (189-64-0)	10.0
3,3-Dichlorobenzidine (91-94-1)	1.0
Diethyl phthalate (84-66-2)	7.6
Dimethyl phthalate (131-11-3)	6.4
Di-n-butyl phthalate (84-74-2)	1.0
2,4-dinitrotoluene (121-14-2)	0.4
2,6-dinitrotoluene (606-20-2)	0.4
Di-n-octyl phthalate (117-84-0)	0.6
1,2-Diphenylhydrazine (as Azobenzene) (122-66-7)	20
Fluoranthene (206-44-0)	0.6
Fluorene (86-73-7)	0.6
Hexachlorobenzene (118-74-1)	0.6
Hexachlorobutadiene (87-68-3)	1.0
Hexachlorocyclopentadiene (77-47-4)	1.0
Hexachloroethane (67-72-1)	1.0
Indeno(1,2,3-cd)Pyrene (193-39-5)	1.0
Isophorone (78-59-1)	1.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
3-Methyl cholanthrene (56-49-5)	8.0
Naphthalene (91-20-3)	0.6
Nitrobenzene (98-95-3)	1.0
N-Nitrosodimethylamine (62-75-9)	4.0
N-Nitrosodi-n-propylamine (621-64-7)	1.0
N-Nitrosodiphenylamine (86-30-6)	1.0
Perylene (198-55-0)	7.6
Phenanthrene (85-01-8)	0.6
Pyrene (129-00-0)	0.6
1,2,4-Trichlorobenzene (120-82-1)	0.6
DIOXIN	
2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (176-40-16) (2,3,7,8 TCDD)	5 pg/L
PESTICIDES/PCBs	
Aldrin (309-00-2)	0.05
alpha-BHC (319-84-6)	0.05
beta-BHC (319-85-7)	0.05
gamma-BHC (58-89-9)	0.05
delta-BHC (319-86-8)	0.05
Chlordane (57-74-9)	0.05
4,4'-DDT (50-29-3)	0.05
4,4'-DDE (72-55-9)	0.05
4,4' DDD (72-54-8)	0.05
Dieldrin (60-57-1)	0.05
alpha-Endosulfan (959-98-8)	0.05
beta-Endosulfan (33213-65-9)	0.05
Endosulfan Sulfate (1031-07-8)	0.05
Endrin (72-20-8)	0.05
Endrin Aldehyde (7421-93-4)	0.05
Heptachlor (76-44-8)	0.05
Heptachlor Epoxide (1024-57-3)	0.05
PCB-1242 (53469-21-9)	0.5

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
PCB-1254 (11097-69-1)	0.5
PCB-1221 (11104-28-2)	0.5
PCB-1232 (11141-16-5)	0.5
PCB-1248 (12672-29-6)	0.5
PCB-1260 (11096-82-5)	0.5
PCB-1016 (12674-11-2)	0.5
Toxaphene (8001-35-2)	0.5